

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

NATALIE JOHNSON,

Plaintiff,

v.

C.R. BARD INC. and
BARD PERIPHERAL VASCULAR INC.,

Defendants.

ORDER

19-cv-760-wmc

Before the court is the parties' request for ruling on objections to certain deposition designations as to Shari Allen O'Quinn.

DEPONENT	DEF AFFIRM	PL OBJECTIONS	DEF RESPONSE TO OBJECTIONS	COURT RULING
O'Quinn, Shari Allen 10/21/2019		Plaintiff objects to all of the testimony of Ms. O'Quinn regarding 510(k) process/application, FDA regulations/communication, and SIR guidelines. Testimony regarding the 510(k), FDA regulations, and SIR are not relevant, and Plaintiff incorporates her arguments in the Motion in Limine/Motion to Exclude. Plaintiff objects to any testimony as to what the FDA officials said to any Bard employees and or any nonverbal conduct	The Court denied Plaintiff's motions in Limine on these topics.	OVERRULED

		described by Bard employees including but not limited to the content of any FDA documents and Bard FDA contact reports or meeting minutes as such testimony is hearsay and hearsay within hearsay under FRE 802 and 805. In addition, FDA officials would have been statutorily barred from testifying as to their actions at the time the events were taking place and it is unfairly prejudicial to permit Bard employees to testify for FDA employees or to reference or quote from documents that purport to contain the testimony of such FDA employees. 21 CFR 20.1 and FRE 403.		
O'Quinn, Shari Allen 10/21/2019	10:23-12:5 12:13-13:17			
O'Quinn, Shari Allen 10/21/2019	14:01-16:06			STRIKE 16:04-16:06
O'Quinn, Shari Allen 10/21/2019	16:10-17:09	Objection lacks foundation, calls for speculation, witness lacks personal knowledge	The witness has training and experience with FDA regulations and processes and while at Bard worked in the regulatory department and as a contact for Bard with the FDA on IVC filter issues. The witness is familiar with the materials she is being questioned about and has	SUSTAIN

			personal knowledge of the matters therein.	
O'Quinn, Shari Allen 10/21/2019	17:12-17:14			
O'Quinn, Shari Allen 10/21/2019	18:01-18:11			
O'Quinn, Shari Allen 10/21/2019	18:14-20:04	Objection lacks foundation, calls for speculation, witness lacks personal knowledge	The witness has training and experience with FDA regulations and processes and while at Bard worked in the regulatory department and as a contact for Bard with the FDA on IVC filter issues. The witness is familiar with the materials she is being questioned about and has personal knowledge of the matters therein.	SUSTAIN as to 18:14-18:17 and 20:01-02; otherwise OVERRULED
O'Quinn, Shari Allen 10/21/2019	20:07-20:11			
O'Quinn, Shari Allen 10/21/2019	20:13-20:21	Objection document contains hearsay	Not hearsay, as witness' testimony is not presented to prove the truth of the matter asserted in the document.	OVERRULED
O'Quinn, Shari Allen 10/21/2019	21:07-21:09	Objection document contains hearsay	Not hearsay, as witness' testimony is not presented to prove the truth of the matter asserted in the document.	SUSTAIN
O'Quinn, Shari Allen 10/21/2019	21:12-21:20	Objection document contains hearsay	Nohearsay,aswitness' testimonyisnotpresented toprovethethe	SUSTAIN

			truth of the matter asserted in the document.	
O'Quinn, Shari Allen 10/21/2019	21:23-22:07	Objection lacks foundation and calls for speculation Objection document contains hearsay	The witness has training and experience with FDA regulations and processes and while at Bard worked in the regulatory department and as a contact for Bard with the FDA on IVC filter issues. The witness is familiar with the materials she is being questioned about and has personal knowledge of the matters therein. Moreover, not hearsay because witness' testimony is not presented to prove the truth of the matter asserted in the document.	SUSTAIN
O'Quinn, Shari Allen 10/21/2019	22:10-22:14	Objection lacks foundation and calls for speculation Objection document contains hearsay	The witness has training and experience with FDA regulations and processes and while at Bard worked in the regulatory department and as a contact for Bard with the FDA on IVC filter issues. The witness is familiar with the materials she is being questioned about and has personal knowledge of the matters therein. Moreover, not hearsay because witness' testimony is not presented to prove the truth of the matter asserted in the	SUSTAIN

			document.	
O'Quinn, ShariAllen 10/21/2019	22:16-22:20	Objection document contains hearsay/Calls for hearsay	Nohearsay,aswitness' testimonyisnotpresented toprovethetruth of the matter asserted in the document.	SUSTAIN
O'Quinn, ShariAllen 10/21/2019	22:23-23:13	Objection document contains hearsay/Calls for hearsay	Nohearsay,aswitness' testimonyisnotpresented toprovethetruth of the matter asserted in the document.	SUSTAIN
O'Quinn, ShariAllen 10/21/2019	23:16-23:20	Objection document contains hearsay/Calls for hearsay	Nohearsay,aswitness' testimonyisnotpresented toprovethetruth of the matter asserted in the document.	SUSTAIN
O'Quinn, ShariAllen 10/21/2019	23:22-24:06	Objection document contains hearsay/Calls for hearsay	Nohearsay,aswitness' testimonyisnotpresented toprovethetruth of the matter asserted in the document.	SUSTAIN
O'Quinn, ShariAllen 10/21/2019	24:09-25:01	Objection document contains hearsay/Calls for hearsay	Nohearsay,aswitness' testimonyisnotpresented toprovethetruth of the matter asserted in the document.	SUSTAIN
O'Quinn, ShariAllen 10/21/2019	25:04-25:11	Objection document contains hearsay/Calls for hearsay	Nohearsay,aswitness' testimonyisnotpresented toprovethetruth of the matter asserted in the document.	SUSTAIN
O'Quinn, ShariAllen 10/21/2019	25:14-25:25	Objection document contains hearsay/Calls for hearsay	Nohearsay,aswitness' testimonyisnotpresented toprovethetruth of the matter asserted in the document.	SUSTAIN
O'Quinn, ShariAllen 10/21/2019	26:03-26:11	Objection document contains hearsay/Calls for hearsay	Nohearsay,aswitness' testimonyisnotpresented toprovethetruth of the matter asserted in the document.	SUSTAIN

O'Quinn, Shari Allen 10/21/2019	26:14-26:21	Objection document contains hearsay/Calls for hearsay	No hearsay, as witness' testimony is not presented to prove the truth of the matter asserted in the document.	SUSTAIN
O'Quinn, Shari Allen 10/21/2019	26:23-27:06	26:23-25: Objection document contains hearsay/Calls for hearsay (27:02-27:06); Objection Speculation, Lacks foundation	The witness has training and experience with FDA regulations and processes and while at Bard worked in the regulatory department and as a contact for Bard with the FDA on IVC filter issues. The witness is familiar with the materials she is being questioned about and has personal knowledge of the matters therein and what the FDA understood based on those documents. The witness is not speculating. Moreover, not hearsay because the witness' testimony is not presented to prove the truth of the matter asserted.	SUSTAIN as to 26:23-27:01; otherwise OVERRULED
O'Quinn, Shari Allen 10/21/2019	27:08-27:09 27:12-27:21	Calls for hearsay, lacks foundation, and calls for speculation	The witness has training and experience with FDA regulations and processes and while at Bard worked in the regulatory department and as a contact for Bard with the FDA on IVC filter issues. The witness is familiar with the materials she is being questioned about and has personal knowledge of the matters therein and	OVERRULED

			what the FDA understood based on those documents. The witness is not speculating. Moreover, not hearsay because the witness' testimony is not presented to prove the truth of the matter asserted.	
O'Quinn, Shari Allen 10/21/2019	27:23-28:02 28:12-28:15	Objection document contains hearsay/Calls for hearsay	No hearsay, as witness' testimony is not presented to prove the truth of the matter asserted in the document.	OVERRULED
O'Quinn, Shari Allen 10/21/2019	28:18	Objection document contains hearsay/Calls for hearsay	No hearsay, as witness' testimony is not presented to prove the truth of the matter asserted in the document.	OVERRULED
O'Quinn, Shari Allen 10/21/2019	29:22-30:08	Objection document contains hearsay/Calls for hearsay	No hearsay, as witness' testimony is not presented to prove the truth of the matter asserted in the document.	SUSTAIN as to 30:07-:08, otherwise OVERRULED
O'Quinn, Shari Allen 10/21/2019	30:12-30:16	foundation, lack of personal knowledge	The witness has training and experience with FDA regulations and processes and while at Bard worked in the regulatory department and as a contact for Bard with the FDA on IVC filter issues. The witness is familiar with the materials she is being questioned about and has personal knowledge of the matters therein and what the FDA understood based on those	SUSTAIN as to 30:12-30:13, otherwise OVERRULED

			documents. The witness is not speculating.	
O'Quinn, Shari Allen 10/21/2019	30:18-30:25 31:03-31:23	foundation, lack of personal knowledge	(31:20-31:23) The witness has training and experience with FDA regulations and processes and while at Bard worked in the regulatory department and as a contact for Bard with the FDA on IVC filter issues. The witness is familiar with the materials she is being questioned about and has personal knowledge of the matters therein and what the FDA process is relative to the steps involved in a 510k submission. The witness is not speculating.	OVERRULED
O'Quinn, Shari Allen 10/21/2019	32:01-32:11	(32:10-32:11); Foundation, lack of personal knowledge; Speculation	(32:10-32:11) The witness has training and experience with FDA regulations and processes and while at Bard worked in the regulatory department and as a contact for Bard with the FDA on IVC filter issues. The witness is familiar with the materials she is being questioned about and has personal knowledge of the matters therein and what the FDA process is relative to the steps involved in a 510k submission. The witness is not speculating.	OVERRULED
O'Quinn, Shari Allen 10/21/2019	32:13-32:19	Foundation, lack of personal knowledge; Speculation	(32:10-32:11) The witness has training and experience with FDA	OVERRULED

			regulations and processes and while at Bard worked in the regulatory department and as a contact for Bard with the FDA on IVC filter issues. The witness is familiar with the materials she is being questioned about and has personal knowledge of the matters therein and what the FDA process is relative to the steps involved in a 510k submission. The witness is not speculating.	
O'Quinn, Shari Allen 10/21/2019	32:21-32:25	(32:22-32:25); Foundation, lack of personal knowledge; Speculation	(32:22-32:25) The witness has training and experience with FDA regulations and processes and while at Bard worked in the regulatory department and as a contact for Bard with the FDA on IVC filter issues. The witness is familiar with the materials she is being questioned about and has personal knowledge of the matters therein and what the FDA process is relative to the steps involved in a 510k submission. The witness is not speculating.	OVERRULED
O'Quinn, Shari Allen 10/21/2019	33:02-34:08	Objection document contains hearsay/Calls for hearsay	No hearsay, as witness' testimony is based on her own personal knowledge.	OVERRULED
O'Quinn, Shari Allen 10/21/2019	36:03 ("Does")- 36:04	Foundation, lack of personal knowledge; Speculation; objection hearsay	(36:02-36:04) The witness has training and experience with FDA regulations and processes and while at	OVERRULED

			Bard worked in the regulatory department and as a contact for Bard with the FDA on IVC filter issues. The witness is familiar with the materials she is being questioned about and has personal knowledge of the matters therein. She is explaining to the jury what the 510k document includes.	
O'Quinn, Shari Allen 10/21/2019	36:07-36:13	foundation, lack of personal knowledge, Objection document contains hearsay	(36:11-36:13) The witness has training and experience with FDA regulations and processes and while at Bard worked in the regulatory department and as a contact for Bard with the FDA on IVC filter issues. The witness is familiar with the materials she is being questioned about and has personal knowledge of the matters therein. She is explaining to the jury what the 510k document includes.	OVERRULED
O'Quinn, Shari Allen 10/21/2019	36:16 36:18-36:19	Objection document contains hearsay/Calls for hearsay	Not hearsay, as the witness' testimony is based on personal knowledge and is not presented to prove the truth of the matter asserted.	OVERRULED
O'Quinn, Shari Allen 10/21/2019	36:21 36:24- 37:02 37:04- 37:07 37:09- 37:11	Objection document contains hearsay/Calls for hearsay	Not hearsay, as the witness' testimony is based on personal knowledge and is not presented to prove the truth of the matter asserted.	OVERRULED

	37:13-37:14			
O'Quinn, Shari Allen 10/21/2019	37:16-37:18 37:20 ("did")-37:21	Objection document contains hearsay/Calls for hearsay	Not hearsay, as the witness' testimony is based on personal knowledge and is not presented to prove the truth of the matter asserted.	OVERRULED
O'Quinn, Shari Allen 10/21/2019	37:24-38:01	Objection document contains hearsay/Calls for hearsay	Not hearsay, as the witness' testimony is based on personal knowledge and is not presented to prove the truth of the matter asserted.	OVERRULED
O'Quinn, Shari Allen 10/21/2019	40:16 ("So")-40:18	Objection document contains hearsay/Calls for hearsay	The witness has training and experience with FDA regulations and processes and while at Bard worked in the regulatory department and as a contact for Bard with the FDA on IVC filter issues. The witness is being asked about the Asch study on Recovery filters, a study with which she is familiar, and which was included with the materials sent to the FDA for the 510k on the Recovery filter. She has personal knowledge of the materials she is being asked to explain. The witness is not speculating.	OVERRULED
O'Quinn, Shari Allen 10/21/2019	40:20	Foundation, lack of personal knowledge; speculation; Objection document contains hearsay/Calls for hearsay	The witness has training and experience with FDA regulations and processes and while at Bard worked in the regulatory department and as a	OVERRULED

			<p>contactforBardwiththe FDAonIVCfilter issues. The witness is being asked about the Asch study on Recovery filters, a study with which she is familiar, and which was included with the materials sent to the FDA for the 510k on the Recovery filter. She has personal knowledge of the materials she is being asked to explain. The witness is not speculating. Moreover, not</p>	
O'Quinn, Shari Allen 10/21/2019	44:10-44:15	Objection document contains hearsay/Calls for hearsay	<p>The witness has training and experience with FDA regulations and processes and while at Bard worked in the regulatory department and as a contact for Bard with the FDA on IVC filter issues. The witness is being asked about the Asch study on Recovery filters, a study with which she is familiar, and which was included with the materials sent to the FDA for the 510k on the Recovery filter. She has personal knowledge of the materials she is being asked to explain. The witness is not speculating.</p>	OVERRULED
O'Quinn, Shari Allen 10/21/2019	45:15-45:18 45:20 ("What type")-45:21	Objection document contains hearsay/Calls for hearsay	<p>The witness has training and experience with FDA regulations and processes and while at Bard worked in the regulatory department and as a contact for Bard with the</p>	OVERRULED

			<p>FDAonIVCfilter issues.</p> <p>The witness is being asked about Bard testing on Recoveryfilters,with whichsheisfamiliar,and whichwere includedwith thematerialssenttothe FDAforthe510konthe Recoveryfilter. Shehas personalknowledgeofthe materialshe is being asked to explain.</p>	
O'Quinn, Shari Allen 10/21/2019	<p>45:24- 46:02 ("What")- 46:3 ("ends with about")</p>	<p>Objection document contains hearsay/Calls for hearsay</p>	<p>The witness has training and experience with FDA regulations and processes and while at Bard worked in the regulatory departmentandasa contactforBardwiththe FDAonIVCfilter issues. The witness is being asked about Bard testing on Recoveryfilters,with whichsheisfamiliar,and whichwere includedwith thematerialssenttothe FDAforthe510konthe Recoveryfilter. Shehas personalknowledgeofthe materialshe is being asked to explain.</p>	OVERRULED
O'Quinn, Shari Allen 10/21/2019	<p>46:05- 46:07</p>	<p>Objection document contains hearsay/Calls for hearsay</p>	<p>The witness has training and experience with FDA regulations and processes and while at Bard worked in the regulatory departmentandasa contactforBardwiththe FDAonIVCfilter issues. The witness is being asked about Bard testing</p>	OVERRULED

			on Recovery filters, with which she is familiar, and which were included with the materials sent to the FDA for the 510k on the Recovery filter. She has personal knowledge of the materials she is being asked to explain.	
O'Quinn, Shari Allen 10/21/2019	46:15 ("Was")- 46:21 ("the s e") 46:21 ("ques tions") - 46:22	Objection document contains hearsay/Calls for hearsay	The witness has training and experience with FDA regulations and processes and while at Bard worked in the regulatory department and as a contact for Bard with the FDA on IVC filter issues. The witness is being asked about Bard testing on Recovery filters, with which she is familiar, and which were included with the materials sent to the FDA for the 510k on the Recovery filter. She has personal knowledge of the materials she is being asked to explain.	OVERRULED
O'Quinn, Shari Allen 10/21/2019	47:06 ("what")- 47:09 ("Yes") 47:19- 47:24 48:1 ("ends at FDA") 48:2 ("with")- 48:4	Objection document contains hearsay/Calls for hearsay	The witness has training and experience with FDA regulations and processes and while at Bard worked in the regulatory department and as a contact for Bard with the FDA on IVC filter issues. The witness is being asked about Bard testing on Recovery filters, with which she is familiar, and which were included with	OVERRULED

	48:6-48:11		the materials sent to the FDA for the 510k on the Recovery filter. She has personal knowledge of the materials she is being asked to explain.	
O'Quinn, Shari Allen 10/21/2019	48:14-48:19	Objection document contains hearsay/Calls for hearsay	The witness has training and experience with FDA regulations and processes and while at Bard worked in the regulatory department and as a contact for Bard with the FDA on IVC filter issues. The witness is being asked about Bard testing on Recovery filters, with which she is familiar, and which were included with the materials sent to the FDA for the 510k on the Recovery filter. She has personal knowledge of the materials she is being asked to explain.	OVERRULED
O'Quinn, Shari Allen 10/21/2019	55:11-55:13			
O'Quinn, Shari Allen 10/21/2019	55:16-55:22			
O'Quinn, Shari Allen 10/21/2019	56:21-56:23 56:25-57:01			
O'Quinn, Shari Allen 10/21/2019	57:04-57:09			

O'Quinn, Shari Allen 10/21/2019	64:16-65:05	Objection document contains hearsay/Calls for hearsay	The witness has training and experience with FDA regulations and processes and while at Bard worked in the regulatory department and as a contact for Bard with the FDA on IVC filter issues. The witness is being asked about the 510k for the Recovery filter. She has personal knowledge of the materials she is being asked to explain.	OVERRULED
O'Quinn, Shari Allen 10/21/2019	69:21-70:18	Objection document contains hearsay/Calls for hearsay	The witness has training and experience with FDA regulations and processes and while at Bard worked in the regulatory department and as a contact for Bard with the FDA on IVC filter issues. The witness is being asked about Bard's use of SIR guidelines and discussions with the FDA regarding same, with which she is familiar and which Bard discussed with the FDA in the context of the Recovery filter. She has personal knowledge of the materials she is being asked to explain.	OVERRULED
O'Quinn, Shari Allen 10/21/2019	70:21-70:23	Objection document contains hearsay/Calls for hearsay	The witness has training and experience with FDA regulations and processes and while at Bard worked in the	OVERRULED

			regulatory department and as a contact for Bard with the FDA on IVC filter issues. The witness is being asked about Bard's use of SIR guidelines and discussions with the FDA regarding same, with which she is familiar and which Bard discussed with the FDA in the context of the Recovery filter. She has personal knowledge of the materials she is being asked to explain.	
O'Quinn, Shari Allen 10/21/2019	71:02-71:04	Objection; lacks foundation and Rule 702 witness is not qualified to offer expert opinions	The witness has training and experience with FDA regulations and processes and while at Bard worked in the regulatory department and as a contact for Bard with the FDA on IVC filter issues. The witness is being asked about Bard's use of SIR guidelines and discussions with the FDA regarding same, with which she is familiar and which Bard discussed with the FDA in the context of the Recovery filter. She has personal knowledge of the materials she is being asked to explain.	OVERRULED
O'Quinn, Shari Allen 10/21/2019	71:07-71:10	Objection; lacks foundation and Rule 702 witness is not qualified to offer expert opinions	The witness has training and experience with FDA regulations and processes and while at	OVERRULED

			Bard worked in the regulatory department and as a contact for Bard with the FDA on IVC filter issues. The witness is being asked about Bard's use of SIR guidelines and discussions with the FDA regarding same, with which she is familiar and which Bard discussed with the FDA in the context of the Recovery filter. She has personal knowledge of the materials she is being asked to explain.	
O'Quinn, Shari Allen 10/21/2019	71:12-71:19			
O'Quinn, Shari Allen 10/21/2019	71:22-71:24			
O'Quinn, Shari Allen 10/21/2019	78:20-78:24	Calls for speculation as to the FDA's state of mind; calls for hearsay	The witness has training and experience with FDA regulations and processes and while at Bard worked in the regulatory department and as a contact for Bard with the FDA on IVC filter issues. The witness is being asked about discussions with the FDA regarding same, with which she is familiar. She has personal knowledge of the materials she is being asked to explain and is not speculating.	OVERRULED

O'Quinn, Shari Allen 10/21/2019	79:02-79:03	Calls for speculation as to the FDA's state of mind; calls for hearsay	The witness has training and experience with FDA regulations and processes and while at Bard worked in the regulatory department and as a contact for Bard with the FDA on IVC filter issues. The witness is being asked about discussions with the FDA regarding same, with which she is familiar. She has personal knowledge of the materials she is being asked to explain and is not speculating.	OVERRULED
O'Quinn, Shari Allen 10/21/2019	99:12-99:21	Objection conversations with the FDA is not relevant and the question calls for hearsay	Conversations with the FDA regarding recalls of other products are directly relevant to plaintiff's defect claims in this case, and Bard's defenses thereto, as they establish that the FDA can request a recall of a product but did not do so with regard to the Recover Filter.	OVERRULED
O'Quinn, Shari Allen 10/21/2019	99:24- 100:03	Objection conversations with the FDA is not relevant and the question calls for hearsay 100:1-3: Objection calls for speculation as to what FDA may or may not do; lack of foundation	Conversations with the FDA regarding recalls of other products are directly relevant to plaintiff's defect claims in this case, and Bard's defenses thereto, as they establish that the FDA can request a recall of a product but did not do so with regard to the Recover Filter.	OVERRULED
O'Quinn, Shari Allen 10/21/2019	100:06- 100:11	Objection calls for speculation as to what FDA may or	Conversations with the FDA regarding recalls of other products are directly relevant to plaintiff's defect	OVERRULED

		may not due; lack of foundation	claims in this case, and Bard's defenses thereto, as they establish that the FDA can request a recall of a product but did not do so with regard to the Recover Filter.	
O'Quinn, Shari Allen 10/21/2019	100:12 ("recall")	Objection calls for hearsay	The witness has training and experience with FDA regulations and processes and while at Bard worked in the regulatory department and as a contact for Bard with the FDA on IVC filter issues. The witness is being asked about whether, in her own discussions with the FDA, the FDA ever indicated that the Recover filter was adulterated or misbranded. She has personal knowledge of the materials she is being asked to explain.	OVERRULED
O'Quinn, Shari Allen 10/21/2019	100:15- 100:19	Objection calls for hearsay	The witness has training and experience with FDA regulations and processes and while at Bard worked in the regulatory department and as a contact for Bard with the FDA on IVC filter issues. The witness is being asked about whether, in her own discussions with the FDA, the FDA ever indicated that the Recover filter was adulterated or misbranded.	OVERRULED

			She has personal knowledge of the materials she is being asked to explain.	
O'Quinn, Shari Allen 10/21/2019	100:22-101:09	Rule of Optional completeness 101:10-11		
O'Quinn, Shari Allen 10/21/2019	101:21-101:23	Objection; lacks foundation and Rule 702 witness is not qualified to offer expert opinions	The witness has training and experience with FDA regulations and processes and while at Bard worked in the regulatory department and as a contact for Bard with the FDA on IVC filter issues. The witness is being asked about her own experience with the attributes of the Recovery Filter, with which she was familiar. She has personal knowledge of the materials she is being asked to explain and is not being asked to provide expert testimony.	OVERRULED
O'Quinn, Shari Allen 10/21/2019	102:01-102:04	Relevance, 403, Foundation, improper expert opinion testimony	(102:03 – 102:09) The witness is very knowledgeable about the indications for use, the testing and warnings Bard provided for the Recovery filter. She is familiar with Bard records on the performance of the Recovery filter. Her testimony is given based on her own personal knowledge.	OVERRULED
O'Quinn, Shari Allen 10/21/2019	102:07-102:09	Relevance, 403, Foundation,	(102:03 – 102:09) The witness is very knowledgeable about the	OVERRULED

		improper expert opinion testimony	indications for use, the testing and warnings Bard provided for the Recovery filter. She is familiar with Bard records on the performance of the Recovery filter. Her testimony is given based on her own personal knowledge.	
O'Quinn, Shari Allen 10/21/2019	102:12-102:17	Relevance, 403, Foundation, improper expert opinion testimony	(102:03 – 102:09) The witness is very knowledgeable about the indications for use, the testing and warnings Bard provided for the Recovery filter. She is familiar with Bard records on the performance of the Recovery filter. Her testimony is given based on her own personal knowledge.	OVERRULED
O'Quinn, Shari Allen 10/21/2019	102:19	Relevance, 403, Foundation, improper expert opinion testimony	Plaintiff's objection is non-sensical. Plaintiff is objecting to a one-line answer by the witness "Yes, absolutely."	OVERRULED
O'Quinn, Shari Allen 10/21/2019	103:7 ("in February")-103:20			
O'Quinn, Shari Allen 10/21/2019	103:22-104:03			
O'Quinn, Shari Allen 10/21/2019	104:06-104:08	Calls for speculation; lack of foundation	There is no basis for the objection-there is no testimony that indicates that the witness lacks personal knowledge. See, 104:20-24	OVERRULED

O'Quinn, Shari Allen 10/21/2019	104:15- 104:16	Calls for speculation; lack of foundation	There is no basis for the objection-there is no testimony that indicates that the witness lacks personal knowledge. See, 104:20-24	OVERRULED
O'Quinn, Shari Allen 10/21/2019	104:19- 104:24	Calls for speculation; lack of foundation	There is no basis for the objection-there is no testimony that indicates that the witness lacks personal knowledge. See, 104:20-25	OVERRULED
O'Quinn, Shari Allen 10/21/2019	105:24- 106:02	Objection document contains hearsay/Calls for hearsay	The witness has training and experience with FDA regulations and processes and while at Bard worked in the regulatory department and as a contact for Bard with the FDA on IVC filter issues. The witness is being asked about the 510k for the G2 filter, and correspondence with the FDA regarding same. She has personal knowledge of the materials she is being asked to explain.	OVERRULED
O'Quinn, Shari Allen 10/21/2019	106:07 106:09 ("What sorts")- 106:10	Objection document contains hearsay/Calls for hearsay	The witness has training and experience with FDA regulations and processes and while at Bard worked in the regulatory department and as a contact for Bard with the FDA on IVC filter issues. The witness is being asked about the 510k for the G2 filter, and correspondence with the FDA regarding same. She has personal	OVERRULED

			knowledge of the materials she is being asked to explain.	
O'Quinn, Shari Allen 10/21/2019	106:13- 106:16 106:17 ("ends at Mr. North") 106:18- 106:22 106:24- 107:06	Objection document contains hearsay/Calls for hearsay	The witness has training and experience with FDA regulations and processes and while at Bard worked in the regulatory department and as a contact for Bard with the FDA on IVC filter issues. The witness is being asked about the 510k for the G2 filter, and correspondence with the FDA regarding same. She has personal knowledge of the materials she is being asked to explain.	OVERRULED
O'Quinn, Shari Allen 10/21/2019	107:09- 107:13	Objection document contains hearsay/Calls for hearsay	The witness has training and experience with FDA regulations and processes and while at Bard worked in the regulatory department and as a contact for Bard with the FDA on IVC filter issues. The witness is being asked about the 510k for the G2 filter, and correspondence with the FDA regarding same. She has personal knowledge of the materials she is being asked to explain.	OVERRULED
O'Quinn, Shari Allen 10/21/2019	107:15 ("ends at The Witness")	Objection document contains hearsay/Calls for hearsay	The witness has training and experience with FDA regulations and processes and while at Bard worked in the regulatory	OVERRULED

	107:18- 107:24		department and a contact for Bard with the FDA on IVC filter issues. The witness is being asked about the 510k for the G2 filter, and correspondence with the FDA regarding same. She has personal knowledge of the materials she is being asked to explain.	
O'Quinn, Shari Allen 10/21/2019	108:02- 108:03	Objection document contains hearsay/Calls for hearsay	The witness has training and experience with FDA regulations and processes and while at Bard worked in the regulatory department and a contact for Bard with the FDA on IVC filter issues. The witness is being asked about the 510k for the G2 filter, and correspondence with the FDA regarding same. She has personal knowledge of the materials she is being asked to explain.	OVERRULED
O'Quinn, Shari Allen 10/21/2019	108:05- 108:11	Calls for hearsay	The witness has training and experience with FDA regulations and processes and while at Bard worked in the regulatory department and a contact for Bard with the FDA on IVC filter issues. The witness is being asked about the 510k for the G2 filter, and correspondence with the FDA regarding same. She has personal knowledge of the	OVERRULED

			materials she is being asked to explain.	
O'Quinn, Shari Allen 10/21/2019	108:13- 108:20 108:25- 109:04	Calls for hearsay	The witness has training and experience with FDA regulations and processes and while at Bard worked in the regulatory department and as a contact for Bard with the FDA on IVC filter issues. The witness is being asked about the 510k for the G2 filter, and correspondence with the FDA regarding same. She has personal knowledge of the materials she is being asked to explain.	OVERRULED
O'Quinn, Shari Allen 10/21/2019	109:07- 109:10	Calls for hearsay	The witness has training and experience with FDA regulations and processes and while at Bard worked in the regulatory department and as a contact for Bard with the FDA on IVC filter issues. The witness is being asked about the 510k for the G2 filter, and correspondence with the FDA regarding same. She has personal knowledge of the materials she is being asked to explain.	OVERRULED
O'Quinn, Shari Allen 10/21/2019	109:13- 109:17	Objection document contains hearsay/Calls for hearsay	The witness has training and experience with FDA regulations and processes and while at Bard worked in the regulatory department and as a	OVERRULED

			contact for Bard with the FDA on IVC filter issues. The witness is being asked about the 510k for the G2 filter, and correspondence with the FDA regarding same. She has personal knowledge of the materials she is being asked to explain.	
O'Quinn, Shari Allen 10/21/2019	109:20	Objection document contains hearsay/Calls for hearsay	The witness has training and experience with FDA regulations and processes and while at Bard worked in the regulatory department and as a contact for Bard with the FDA on IVC filter issues. The witness is being asked about the 510k for the G2 filter, and correspondence with the FDA regarding same. She has personal knowledge of the materials she is being asked to explain.	OVERRULED
O'Quinn, Shari Allen 10/21/2019	112:25- 113:02 113:08 ("was there")- 113:1 0	Objection document contains hearsay/Calls for hearsay	The witness has training and experience with FDA regulations and processes and while at Bard worked in the regulatory department and as a contact for Bard with the FDA on IVC filter issues. The witness is being asked about a meeting with the FDA with which she is personally familiar, and about a document for the meeting that she personally helped to	OVERRULED

			prepare. She has personal knowledge of the materials she is being asked to explain.	
O'Quinn, Shari Allen 10/21/2019	113:12- 113:18	Objection document contains hearsay/Calls for hearsay	The witness has training and experience with FDA regulations and processes and while at Bard worked in the regulatory department and as a contact for Bard with the FDA on IVC filter issues. The witness is being asked about a meeting with the FDA with which she is personally familiar, and about a document for the meeting that she personally helped to prepare. She has personal knowledge of the materials she is being asked to explain.	OVERRULED
O'Quinn, Shari Allen 10/21/2019	115:01- 115:04	Objection document contains hearsay/Calls for hearsay	The witness has training and experience with FDA regulations and processes and while at Bard worked in the regulatory department and as a contact for Bard with the FDA on IVC filter issues. The witness is being asked about a meeting with the FDA with which she is personally familiar, and about a document for the meeting that she personally helped to prepare. She has personal knowledge of the materials she is being	OVERRULED

			asked to explain.	
O'Quinn, Shari Allen 10/21/2019	116:01- 116:09	Objection document contains hearsay/Calls for hearsay	The witness has training and experience with FDA regulations and processes and while at Bard worked in the regulatory department and as a contact for Bard with the FDA on IVC filter issues. The witness is being asked about a meeting with the FDA with which she is personally familiar, and about documents for the meeting that she personally helped to prepare, and from FDA with which she is personally familiar. She has personal knowledge of the materials she is being asked to explain.	OVERRULED
O'Quinn, Shari Allen 10/21/2019	117:05- 117:09 117:23- 118:04	Objection document contains hearsay/Calls for hearsay	The witness has training and experience with FDA regulations and processes and while at Bard worked in the regulatory department and as a contact for Bard with the FDA on IVC filter issues. The witness is being asked about correspondence with the FDA, and documents, with which she is personally familiar. She has personal knowledge of the materials she is being asked to explain.	OVERRULED

O'Quinn, Shari Allen 10/21/2019	118:13 ("what is")- 118:15	Objection document contains hearsay/Calls for hearsay	The witness has training and experience with FDA regulations and processes and while at Bard worked in the regulatory department and as a contact for Bard with the FDA on IVC filter issues. The witness is being asked about correspondence with the FDA, and documents, with which she is personally familiar. She has personal knowledge of the materials she is being asked to explain.	OVERRULED
O'Quinn, Shari Allen 10/21/2019	118:18- 118:24	Objection document contains hearsay/Calls for hearsay	The witness has training and experience with FDA regulations and processes and while at Bard worked in the regulatory department and as a contact for Bard with the FDA on IVC filter issues. The witness is being asked about correspondence with the FDA, and documents, with which she is personally familiar. She has personal knowledge of the materials she is being asked to explain.	OVERRULED
O'Quinn, Shari Allen 10/21/2019	122:20- 123:03			
O'Quinn, Shari Allen 10/21/2019	124:21- 125:08	Foundation, Speculation, hearsay	(124:16–124:20) The witness is testifying to information from doctors that she was	OVERRULED

			privity to in her role in the regulatory department at Bard. She has personal knowledge of the facts she is testifying about. The testimony is not hearsay	
O'Quinn, Shari Allen 10/21/2019	125:11- 125:15 125:23- 126:04	Foundation, Speculation, hearsay	The witness is testifying from her own personal experience, is not speculating, and there is nothing about this testimony that is hearsay.	OVERRULED
O'Quinn, Shari Allen 10/21/2019	126:07- 126:13	Foundation, Speculation, hearsay	The witness is testifying from her own personal experience, is not speculating, and there is nothing about this testimony that is hearsay.	OVERRULED
O'Quinn, Shari Allen 10/21/2019	126:16- 126:22 127:02- 127:06			
O'Quinn, Shari Allen 10/21/2019	127:15- 128:03	Foundation, Speculation, hearsay	The witness is testifying from her own personal experience, is not speculating, and there is nothing about this testimony that is hearsay.	OVERRULED
O'Quinn, Shari Allen 10/21/2019	128:19- 128:21	Foundation, Speculation, hearsay	The witness is testifying from her own personal experience, is not speculating, and there is nothing about this testimony that is hearsay.	OVERRULED
O'Quinn, Shari Allen 10/21/2019	128:24- 129:04	Objection document contains hearsay/Calls for hearsay	The witness is testifying from her own personal experience, is not speculating, and there is nothing about this testimony that is	OVERRULED

			hearsay.	
O'Quinn, Shari Allen 10/21/2019	129:12- 129:13	Objection document contains hearsay/Calls for hearsay	The witness is testifying from her own personal experience, is not speculating, and there is nothing about this testimony that is hearsay.	OVERRULED
O'Quinn, Shari Allen 10/21/2019	129:15- 129:24	Objection document contains hearsay/Calls for hearsay	The witness is testifying from her own personal experience, is not speculating, and there is nothing about this testimony that is hearsay.	OVERRULED
O'Quinn, Shari Allen 10/21/2019	130:03 ("actually")- 130:13	Lack of foundation, argumentative, leading.	The witness is testifying from her own personal experience, is not speculating, and there is nothing about this testimony that is speculative. The question is not leading.	OVERRULED
O'Quinn, Shari Allen 10/21/2019	130:17	Lack of foundation, argumentative, leading.	The witness is testifying from her own personal experience, is not speculating, and there is nothing about this testimony that is speculative. The question is not leading.	OVERRULED
O'Quinn, Shari Allen 10/21/2019	131:04- 131:06	Lack of foundation, argumentative, leading.	The witness is testifying from her own personal experience, is not speculating, and there is nothing about this testimony that is speculative. The question is not leading.	OVERRULED
O'Quinn, Shari Allen 10/21/2019	131:09- 131:20	Lack of foundation, argumentative, leading, Objection	The witness is testifying from her own personal experience, is not	OVERRULED

		document contains hearsay/Calls for hearsay	speculating, and there is nothing about this testimony that is speculative. The question is not leading.	
O'Quinn, Shari Allen 10/21/2019	131:22- 132:05	Lack of foundation, argumentative, leading.	The witness is testifying from her own personal experience, is not speculating, and there is nothing about this testimony that is speculative. The question is not leading.	OVERRULED
O'Quinn, Shari Allen 10/21/2019	132:08- 132:12	Objection document contains hearsay/Calls for hearsay		OVERRULED
O'Quinn, Shari Allen 10/21/2019	132:14- 132:17	Speculative, hearsay	The witness is testifying from her own personal experience, is not speculating, and there is nothing about this testimony that is speculative.	OVERRULED
O'Quinn, Shari Allen 10/21/2019	132:19- 133:09	Objection document contains hearsay/Calls for hearsay	The witness has training and experience with FDA regulations and processes and while at Bard worked in the regulatory department and as a contact for Bard with the FDA on IVC filter issues. The witness is being asked about correspondence with the FDA, and documents, with which she is personally familiar. She has personal knowledge of the materials she is being asked to explain.	OVERRULED

O'Quinn, Shari Allen 10/21/2019	133:12- 133:16	Objection document contains hearsay/Calls for hearsay	The witness has training and experience with FDA regulations and processes and while at Bard worked in the regulatory department and as a contact for Bard with the FDA on IVC filter issues. The witness is being asked about correspondence with the FDA, and documents, with which she is personally familiar. She has personal knowledge of the materials she is being asked to explain.	OVERRULED
O'Quinn, Shari Allen 10/21/2019	133:19- 133:22	Objection document contains hearsay/Calls for hearsay	The witness has training and experience with FDA regulations and processes and while at Bard worked in the regulatory department and as a contact for Bard with the FDA on IVC filter issues. The witness is being asked about correspondence with the FDA, and documents, with which she is personally familiar. She has personal knowledge of the materials she is being asked to explain.	OVERRULED
O'Quinn, Shari Allen 10/21/2019	133:25- 134:08	Objection document contains hearsay/Calls for hearsay	The witness has training and experience with FDA regulations and processes and while at Bard worked in the regulatory department and as a contact for Bard	OVERRULED

			with the FDA on IVC filter issues. The witness is being asked about correspondence with the FDA, and documents, with which she is personally familiar. She has personal knowledge of the materials she is being asked to explain.	
O'Quinn, Shari Allen 10/21/2019	134:11- 134:17	Objection document contains hearsay/Calls for hearsay	The witness has training and experience with FDA regulations and processes and while at Bard worked in the regulatory department and as a contact for Bard with the FDA on IVC filter issues. The witness is being asked about correspondence with the FDA, and documents, with which she is personally familiar. She has personal knowledge of the materials she is being asked to explain.	OVERRULED
O'Quinn, Shari Allen 10/21/2019	134:20- 134:25	Objection document contains hearsay/Calls for hearsay	The witness has training and experience with FDA regulations and processes and while at Bard worked in the regulatory department and as a contact for Bard with the FDA on IVC filter issues. The witness is being asked about correspondence with the FDA, and documents, with which she is personally familiar. She	OVERRULED

			has personal knowledge of the materials she is being asked to explain.	
O'Quinn, Shari Allen 10/21/2019	135:09-135:10			
O'Quinn, Shari Allen 10/21/2019	135:12-135:18			
O'Quinn, Shari Allen 10/21/2019	135:21-135:23	Lack of foundation	(135:22 – 136:08) The witness is testifying to types of complications in Bard IVC filters about which she is knowledgeable because of her role in the regulatory department at Bard. She has personal knowledge of the facts she is testifying about.	OVERRULED
O'Quinn, Shari Allen 10/21/2019	135:25-136:03	Lack of foundation; improper opinion testimony	(135:22 – 136:08) The witness is testifying to types of complications in Bard IVC filters about which she is knowledgeable because of her role in the regulatory department at Bard. She has personal knowledge of the facts she is testifying about.	OVERRULED as to 135:25; SUSTAIN as to 136:01-:03.
O'Quinn, Shari Allen 10/21/2019	136:05-136:13	Lack of foundation; improper opinion testimony	(135:22 – 136:08) The witness is testifying to types of complications in Bard IVC filters about which she is knowledgeable because of her role in the regulatory department at Bard. She has personal knowledge of the facts she is testifying about.	SUSTAIN as to 136:05-:08, otherwise OVERRULED

O'Quinn, Shari Allen 10/21/2019	136:16- 137:02	Lack of foundation; improper opinion testimony	(135:22 – 136:08) The witness is testifying to types of complications in Bard IVC filters about which she is knowledgeable because of her role in the regulatory department at Bard. She has personal knowledge of the facts she is testifying about.	OVERRULED
O'Quinn, Shari Allen 10/21/2019	137:05- 137:12	Lack of foundation; improper opinion testimony	(135:22 – 136:08) The witness is testifying to types of complications in Bard IVC filters about which she is knowledgeable because of her role in the regulatory department at Bard. She has personal knowledge of the facts she is testifying about.	OVERRULED
O'Quinn, Shari Allen 10/21/2019	137:14- 137:17			
O'Quinn, Shari Allen 10/21/2019	139:04 ("what did")- 139:05	Objection document contains hearsay/Calls for hearsay	The witness has training and experience with FDA regulations and processes and while at Bard worked in the regulatory department and as a contact for Bard with the FDA on IVC filter issues. The witness is being asked about correspondence with the FDA, and documents, with which she is personally familiar. She has personal knowledge of the materials she is being asked to explain.	OVERRULED

O'Quinn, Shari Allen 10/21/2019	139:08- 139:17	Objection document contains hearsay/Calls for hearsay	The witness has training and experience with FDA regulations and processes and while at Bard worked in the regulatory department and as a contact for Bard with the FDA on IVC filter issues. The witness is being asked about correspondence with the FDA, and documents, with which she is personally familiar. She has personal knowledge of the materials she is being asked to explain.	OVERRULED
O'Quinn, Shari Allen 10/21/2019	139:20- 139:22			
O'Quinn, Shari Allen 10/21/2019	139:24- 140:07	Objection document contains hearsay/Calls for hearsay	The witness has training and experience with FDA regulations and processes and while at Bard worked in the regulatory department and as a contact for Bard with the FDA on IVC filter issues. The witness is being asked about correspondence with the FDA, and documents, with which she is personally familiar. She has personal knowledge of the materials she is being asked to explain.	OVERRULED
O'Quinn, Shari Allen 10/21/2019	140:10 140:21 ("what did")-	Objection document contains	The witness has training and experience with FDA regulations and processes and while at	OVERRULED

	140:23	hearsay/Calls for hearsay	Bard worked in the regulatory department and as a contact for Bard with the FDA on IVC filter issues. The witness is being asked about correspondence with the FDA, and documents, with which she is personally familiar. She has personal knowledge of the materials she is being asked to explain.	
O'Quinn, Shari Allen 10/21/2019	141:01-141:05	Objection document contains hearsay/Calls for hearsay	The witness has training and experience with FDA regulations and processes and while at Bard worked in the regulatory department and as a contact for Bard with the FDA on IVC filter issues. The witness is being asked about correspondence with the FDA, and documents, with which she is personally familiar. She has personal knowledge of the materials she is being asked to explain.	OVERRULED
O'Quinn, Shari Allen 10/21/2019	141:08-141:10			
O'Quinn, Shari Allen 10/21/2019	141:13-141:23	Objection document contains hearsay/Calls for hearsay	The witness has training and experience with FDA regulations and processes and while at Bard worked in the regulatory department and as a contact for Bard with the FDA on IVC	OVERRULED

			filter issues. The witness is being asked about correspondence with the FDA, and documents, with which she is personally familiar. She has personal knowledge of the materials she is being asked to explain.	
O'Quinn, ShariAllen 10/21/2019	142:09- 143:03			
O'Quinn, ShariAllen 10/21/2019	143:06- 143:22 144:01- 144:08			
O'Quinn, Shari Allen 10/21/2019	144:11- 144:24	Lack of foundation; Mischaracterizes the document, Objection document contains hearsay/Calls for hearsay	The witness is testifying about facts of which she is knowledgeable due to her experience and role in the regulatory department at Bard. She has personal knowledge of these facts and is not speculating. She has not mischaracterized the document.	OVERRULED
O'Quinn, ShariAllen 10/21/2019	145:02- 146:09	Lack of foundation; Mischaracterizes the document, Objection document contains hearsay/Calls for hearsay		OVERRULED
O'Quinn, ShariAllen 10/21/2019	146:12- 146:15	Objection document contains hearsay/Calls for hearsay		OVERRULED
O'Quinn, Shari Allen 10/21/2019	146:17- 147:05	Calls for speculation; Objection document contains hearsay/Calls for hearsay	The witness is testifying about facts of which she is knowledgeable due to her experience and role in	OVERRULED

			the regulatory department at Bard. She has personal knowledge of these facts and is not speculating.	
O'Quinn, Shari Allen 10/21/2019	147:08-147:09	Calls for speculation;	The witness is testifying about facts of which she is knowledgeable due to her experience and role in the regulatory department at Bard. She has personal knowledge of these facts and is not speculating.	OVERRULED
O'Quinn, Shari Allen 10/21/2019	147:19-150:08			
O'Quinn, Shari Allen 10/21/2019	150:11-150:14	Calls for speculation;	The witness is testifying about facts of which she is knowledgeable due to her experience and role in the regulatory department at Bard. She has personal knowledge of these facts and is not speculating.	OVERRULED
O'Quinn, Shari Allen 10/21/2019	150:16-151:25	Calls for speculation; 151:23-25: Calls for hearsay	The witness is testifying about facts of which she is knowledgeable due to her experience and role in the regulatory department at Bard. She has personal knowledge of these facts and is not speculating.	OVERRULED
O'Quinn, Shari Allen 10/21/2019	152:03-152:08	Lack of foundation; Calls for hearsay	The witness is testifying about facts of which she is knowledgeable due to her experience and role in the regulatory department at Bard. She has personal knowledge of these facts	OVERRULED

			and is not speculating.	
O'Quinn, Shari Allen 10/21/2019	152:11- 152:19	Lack of foundation; Calls for hearsay	The witness is testifying about facts of which she is knowledgeable due to her experience and role in the regulatory department at Bard. She has personal knowledge of these facts and is not speculating.	OVERRULED
O'Quinn, Shari Allen 10/21/2019	152:22- 153:04	Lack of foundation; Calls for hearsay	The witness is testifying about facts of which she is knowledgeable due to her experience and role in the regulatory department at Bard. She has personal knowledge of these facts and is not speculating.	OVERRULED
O'Quinn, Shari Allen 10/21/2019	153:07- 153:11	Objection document contains hearsay/Calls for hearsay	The witness is testifying about facts of which she is knowledgeable due to her experience and role in the regulatory department at Bard. She has personal knowledge of these facts and is not speculating.	OVERRULED
O'Quinn, Shari Allen 10/21/2019	153:13- 154:05			
O'Quinn, Shari Allen 10/21/2019	154:07- 154:09			
O'Quinn, Shari Allen 10/21/2019	154:11- 154:13			
O'Quinn, Shari Allen 10/21/2019	154:15- 154:18	Calls for speculation;	The witness is testifying about facts of which she is knowledgeable due to her experience and role in	OVERRULED

			the regulatory department at Bard. She has personal knowledge of these facts and is not speculating.	
O'Quinn, Shari Allen 10/21/2019	154:21-155:17	Calls for speculation; Objection document contains hearsay/Calls for hearsay	The witness is testifying about facts of which she is knowledgeable due to her experience and role in the regulatory department at Bard. She has personal knowledge of these facts and is not speculating. Nor is this document/testimony hearsay.	OVERRULED
O'Quinn, Shari Allen 10/21/2019	155:19-156:15	Objection document contains hearsay/Calls for hearsay	The witness is testifying about facts of which she is knowledgeable due to her experience and role in the regulatory department at Bard. She has personal knowledge of these facts and is not speculating.	OVERRULED
O'Quinn, Shari Allen 10/21/2019	156:18-156:24	Lack of foundation	The witness is testifying about facts of which she is knowledgeable due to her experience and role in the regulatory department at Bard. She has personal knowledge of these facts and is not speculating.	OVERRULED
O'Quinn, Shari Allen 10/21/2019	157:02-157:21	Lack of foundation	The witness is testifying about facts of which she is knowledgeable due to her experience and role in the regulatory department at Bard. She has personal knowledge of these facts	OVERRULED

			and is not speculating.	
O'Quinn, Shari Allen 10/21/2019	157:24- 158:02	Lack of foundation; calls for speculation	The witness is testifying about facts of which she is knowledgeable due to her experience and role in the regulatory department at Bard. She has personal knowledge of these facts and is not speculating.	OVERRULED
O'Quinn, Shari Allen 10/21/2019	158:04- 158:08	Lack of foundation; calls for speculation	The witness is testifying about facts of which she is knowledgeable due to her experience and role in the regulatory department at Bard. She has personal knowledge of these facts and is not speculating.	OVERRULED
O'Quinn, Shari Allen 10/21/2019	158:10- 158:18	Lack of foundation; relevance, improper opinion testimony	The witness is testifying about facts of which she is knowledgeable due to her experience and role in the regulatory department at Bard. She has personal knowledge of these facts and is not speculating.	OVERRULED
O'Quinn, Shari Allen 10/21/2019	158:20- 158:23	Lack of foundation; improper opinion testimony	The witness is testifying about facts of which she is knowledgeable due to her experience and role in the regulatory department at Bard. She has personal knowledge of these facts and is not speculating.	OVERRULED
O'Quinn, Shari Allen 10/21/2019	158:25- 159:05	Lack of foundation; improper opinion testimony	The witness is testifying about facts of which she is knowledgeable due to her experience and role in the regulatory	OVERRULED

			department at Bard. She has personal knowledge of these facts and is not speculating.	
O'Quinn, Shari Allen 10/21/2019	159:07- 159:10	Calls for hearsay	The witness is testifying about facts of which she is knowledgeable due to her experience and role in the regulatory department at Bard. She has personal knowledge of these facts and discussions.	OVERRULED
O'Quinn, Shari Allen 10/21/2019	159:12	Calls for hearsay	The witness is testifying about facts of which she is knowledgeable due to her experience and role in the regulatory department at Bard. She has personal knowledge of these facts and discussions.	OVERRULED
DEPONENT	PL COUNTER S	DEF OBJECTIONS	PL RESPONSE TO OBJECTIONS	COURT RULING
O'Quinn, Shari Allen 10/21/2019	160:02- 160:06			
O'Quinn, Shari Allen 10/21/2019	161:17- 161:25			
O'Quinn, Shari Allen 10/21/2019	162:01- 162:10			
O'Quinn, Shari Allen 10/21/2019	162:12- 162:25			

O'Quinn, Shari Allen 10/21/2019	163:01- 163:25			
O'Quinn, Shari Allen 10/21/2019	164:01- 164:08	Rule 403.	Ms. O'Quinn is a former employee of Bard called by Bard to discuss The FDA regulatory system, Bard's test results and presentation of data in support of the substantial equivalency of each of its retrievable IVC filter to its predicate device. The testimony relates to the regulatory process and what was expected of Bard to comply with the system. That testimony is relevant to design defect and the negligence of Bard.	OVERRULED
O'Quinn, Shari Allen 10/21/2019	164:10- 164:25		-	
O'Quinn, Shari Allen 10/21/2019	165:01- 165:25		-	
O'Quinn, Shari Allen 10/21/2019	166:01- 166:13		-	
O'Quinn, Shari Allen 10/21/2019	169:18- 169:25		-	
O'Quinn, Shari Allen 10/21/2019	170:01- 170:05		-	
O'Quinn, Shari Allen 10/21/2019	171:06- 171:13		-	

O'Quinn, Shari Allen 10/21/2020	182:25			
O'Quinn, Shari Allen 10/21/2021	183:01- 183:24	-	-	
O'Quinn, Shari Allen 10/21/2019	187:01- 187:11	-	-	STRIKE 187:01.
O'Quinn, Shari Allen 10/21/2019	190:03- 190:25	<p>Rules 401, 402, 403. Testimony does not involve filter at issue and/or failure modes at issue; Irrelevant and any probative value outweighed by prejudicial effect. Rules 401, 402, 403 – Testimony relates to irrelevant and prejudicial evidence regarding Bard's conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect. Rules 401, 402, 403. Testimony regarding Sales/Marketing of the Recovery Filter does not relate to the claims or causes of action at issue in the case; Irrelevant and any probative value outweighed by prejudicial effect.</p>	<p>Bard chose to market the Meridian filter using the 510(k) process which relied upon the Recovery filter as the predicate. All G2 filter platform filters, including the Meridian trace their design history to the Recovery filter and the defects in the Meridian design only can be understood only in the context of the entire filter-line development. Testimony regarding the Recovery filter's complications, testing and design is relevant and is not outweighed by any prejudicial effect. Judge Campbell agreed with this position in Jones v. Bard. [MDL Order No. 10819]. The failure modes are relevant to the assessment of the defects in the design of the filter whether a particular failure mode has occurred; however, Ms. Johnson has experienced perforation, migration,</p>	OVERRULED

			tilt, and fracture. The testimony is relevant to the claims of design defect, negligence and failure to warn. The testimony is not unfairly prejudicial.	
O'Quinn, Shari Allen 10/21/2019	191:01- 191:14	<p>Rules 401, 402, 403. Testimony does not involve filter at issue and/or failure modes at issue; Irrelevant and any probative value outweighed by prejudicial effect. Rules 401, 402, 403 – Testimony relates to irrelevant and prejudicial evidence regarding Bard's conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect. Rules 401, 402, 403. Testimony regarding Sales/Marketing of the Recovery Filter does not relate to the claims or causes of action at issue in the case; Irrelevant and any probative value outweighed by prejudicial effect.</p>	<p>Bard chose to market the Meridian filter using the 510(k) process which relied upon the Recovery filter as the predicate. All G2 filter platform filters, including the Meridian trace their design history to the Recovery filter and the defects in the Meridian design only can be understood only in the context of the entire filter-line development. Testimony regarding the Recovery filter's complications, testing and design is relevant and is not outweighed by any prejudicial effect. Judge Campbell agreed with this position in Jones v. Bard. [MDL Order No. 10819]. The failure modes are relevant to the assessment of the defects in the design of the filter whether a particular failure mode has occurred; however, Ms. Johnson has experienced perforation, migration, tilt, and fracture. The testimony is relevant to the claims of design defect, negligence and failure to</p>	OVERRULED

			warn. The testimony is not unfairly prejudicial.	
O'Quinn, Shari Allen 10/21/2019	192:02- 192:09	<p>Rules 401, 402, 403. Testimony does not involve filter at issue and/or failure modes at issue; Irrelevant and any probative value outweighed by prejudicial effect.</p> <p>Rules 401, 402, 403 – Testimony relates to irrelevant and prejudicial evidence regarding Bard's conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect. Rules 401, 402, 403.</p> <p>Testimony regarding Sales/Marketing of the Recovery Filter does not relate to the claims or causes of action at issue in the case; Irrelevant and any probative value outweighed by prejudicial effect.</p>	<p>Bard chose to market the Meridian filter using the 510(k) process which relied upon the Recovery filter as the predicate. All G2 filter platform filters, including the Meridian trace their design history to the Recovery filter and the defects in the Meridian design only can be understood only in the context of the entire filter-line development. Testimony regarding the Recovery filter's complications, testing and design is relevant and is not outweighed by any prejudicial effect. Judge Campbell agreed with this position in Jones v. Bard. [MDL Order No. 10819]. The failure modes are relevant to the assessment of the defects in the design of the filter whether a particular failure mode has occurred; however, Ms. Johnson has experienced perforation, migration, tilt, and fracture. The testimony is relevant to the claims of design defect, negligence and failure to warn. The testimony is not unfairly prejudicial.</p>	OVERRULED

O'Quinn, Shari Allen 10/21/2019	192:14- 192:22	<p>Rules 401, 402, 403. Testimony does not involve filter at issue and/or failure modes at issue; Irrelevant and any probative value outweighed by prejudicial effect. Rules 401, 402, 403 – Testimony relates to irrelevant and prejudicial evidence regarding Bard's conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect. Rules 401, 402, 403. Testimony regarding Sales/Marketing of the Recovery Filter does not relate to the claims or causes of action at issue in the case; Irrelevant and any probative value outweighed by prejudicial effect.</p>	<p>Bard chose to market the Meridian filter using the 510(k) process which relied upon the Recovery filter as the predicate. All G2 filter platform filters, including the Meridian trace their design history to the Recovery filter and the defects in the Meridian design only can be understood only in the context of the entire filter-line development. Testimony regarding the Recovery filter's complications, testing and design is relevant and is not outweighed by any prejudicial effect. Judge Campbell agreed with this position in <i>Jones v. Bard</i>. [MDL Order No. 10819]. The failure modes are relevant to the assessment of the defects in the design of the filter whether a particular failure mode has occurred; however, Ms. Johnson has experienced perforation, migration, tilt, and fracture. The testimony is relevant to the claims of design defect, negligence and failure to warn. The testimony is not unfairly prejudicial.</p>	OVERRULED
O'Quinn, Shari Allen 10/21/2019	193:02- 193:14	<p>Rules 401, 402, 403. Testimony does not involve filter at issue and/or failure modes at</p>	<p>Ms. O'Quinn is a former employee of Bard called by Bard to discuss the FDA regulatory system,</p>	OVERRULED

		<p>issue; Irrelevant and any probative value outweighed by prejudicial effect. Rules 401, 402, 403 – Testimony relates to irrelevant and prejudicial evidence regarding Bard’s conduct related to the Recovery Filter.</p> <p>Irrelevant and any probative value outweighed by prejudicial effect. Rules 401, 402, 403.</p> <p>Testimony regarding Sales/Marketing of the Recovery Filter does not relate to the claims or causes of action at issue in the case; Irrelevant and any probative value outweighed by prejudicial effect.</p>	<p>Bard's test results and presentation of data in support of the substantial equivalency of each of its retrievable IVC filter to its predicate device. This testimony relates to post market surveillance of the filter’s performance and the data available to Bard. The testimony relates to the regulatory process and what was expected of Bard to comply with the system. That testimony is relevant to design defect and the negligence of Bard.</p>	
<p>O'Quinn, Shari Allen 10/21/2019</p>	<p>212:02- 212:07</p>	<p>Rules 401, 402, 403. Testimony does not involve filter at issue and/or failure modes at issue; Irrelevant and any probative value outweighed by prejudicial effect. Rules 401, 402, 403 – Testimony relates to irrelevant and prejudicial evidence regarding Bard’s conduct related to the Recovery Filter. Irrelevant and any probative value</p>	<p>Ms. O'Quinn is a former employee of Bard called by Bard to discuss the FDA regulatory system, Bard's test results and presentation of data in support of the substantial equivalency of each of its retrievable IVC filter to its predicate device. This testimony relates to the DFMEA, or failure mode analysis performed by Bard that resulted in a finding the G2 filter posed and unreasonable risk of</p>	<p>OVERRULED</p>

		<p>outweighed by prejudicial effect. Rules 401, 402, 403.</p> <p>Testimony regarding Sales/Marketing of the Recovery Filter does not relate to the claims or causes of action at issue in the case; Irrelevant and any probative value outweighed by prejudicial effect. Rules 702/703.</p> <p>Opinion is inadmissible because there is no proper foundation.</p>	<p>serious injury. That testimony is relevant to design defect, a failure to warn and the negligence of Bard.</p>	
<p>O'Quinn, Shari Allen 10/21/2019</p>	<p>212:12- 212:14</p>	<p>Rules 401, 402, 403.</p> <p>Testimony does not involve filter at issue and/or failure modes at issue; Irrelevant and any probative value outweighed by prejudicial effect.</p> <p>Rules 401, 402, 403 – Testimony relates to irrelevant and prejudicial evidence regarding Bard's conduct related to the Recovery Filter.</p> <p>Irrelevant and any probative value outweighed by prejudicial effect. Rules 401, 402, 403.</p> <p>Testimony regarding Sales/Marketing of the Recovery Filter does not relate to the claims or causes of action at issue in the case; Irrelevant and any probative value</p>	<p>Ms. O'Quinn is a former employee of Bard called by Bard to discuss the FDA regulatory system, Bard's test results and presentation of data in support of the substantial equivalency of each of its retrievable IVC filter to its predicate device. This testimony relates to the DFMEA, or failure mode analysis performed by Bard that resulted in a finding the G2 filter posed and unreasonable risk of serious injury. That testimony is relevant to design defect, a failure to warn and the negligence of Bard.</p>	<p>OVERRULED</p>

		<p>outweighed by prejudicial effect. Rules 702/703.</p> <p>Opinion is inadmissible because there is no proper foundation.</p>		
<p>O'Quinn, Shari Allen 10/21/2020</p>	<p>213:01- 213:08</p>	<p>Rules 401, 402, 403. Testimony does not involve filter at issue and/or failure modes at issue; Irrelevant and any probative value outweighed by prejudicial effect. Rules 401, 402, 403 – Testimony relates to irrelevant and prejudicial evidence regarding Bard's conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect. Rules 401, 402, 403. Testimony regarding Sales/Marketing of the Recovery Filter does not relate to the claims or causes of action at issue in the case; Irrelevant and any probative value outweighed by prejudicial effect. Rules 702/703. Opinion is inadmissible because there is no proper foundation.</p>	<p>Ms. O'Quinn is a former employee of Bard called by Bard to discuss the FDA regulatory system, Bard's test results and presentation of data in support of the substantial equivalency of each of its retrievable IVC filter to its predicate device. This testimony relates to the DFMEA, or failure mode analysis performed by Bard that resulted in a finding the G2 filter posed and unreasonable risk of serious injury. That testimony is relevant to design defect, a failure to warn and the negligence of Bard.</p>	
DEPONENT	DEF COUNT	PL OBJECTIONS	DEF RESPONSE TO OBJECTIONS	COURT RULING

	ERS TO COUNT ERS			
O'Quinn, Shari Allen 10/21/2019	166:14- 166:18	FRCP 32(6) and FRE 106– Optional completeness – Page 166:19:166:21 completes the line of questioning requested by the defense and in fairness should be considered with the part introduced. This is particularly necessary since this is addressed in de-direct and Plaintiff is not able to re-cross with this testimony.		OVERRULED except ADD 166:19-:21

Accordingly, IT IS ORDERED that the parties' request for rulings on objections to certain designations is GRANTED, and the objections are sustained in part and overruled in part as provided above.

Entered this 8th day of June, 2021.

BY THE COURT:

/s/

WILLIAM M. CONLEY
District Judge